

ORIGINAL

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4-18-00

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM

Plaintiff

vs.

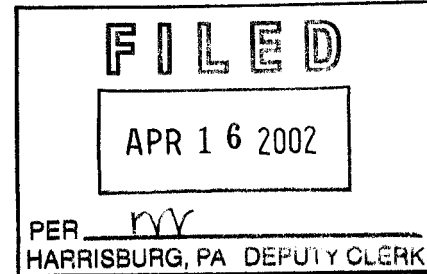
SCOTT DOWNEY, ROGER
MORRISON, DAVID
GRAYBILL AND MICHAEL
SWEGER

Defendants

CIVIL ACTION LAW

83
1:CV-01-~~0600~~

JURY TRIAL DEMANDED



NOTICE OF APPEAL

Notice is hereby given that Beverly Beam the above- named plaintiff hereby appeals to the Third Circuit Court of Appeals of the United States from the decision by the Court from the Honorable Judge James F. McClure, Jr., for the U.S. District Court for the Middle District of Pennsylvania entered on April 10, 2002. Order is attached hereto.

Respectfully Submitted,

Don Bailey ID#23786

4311 N. 6th Street
Harrisburg, PA 17110
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM,
Plaintiff

v.

SCOTT DOWNEY, ROGER
MORRISON, DAVID GRAYBILL
and MICHAEL SWEGER,
Defendants

No. 1:CV-01-0083
(Judge McClure)

ORDER

April 10, 2002

FILED
WILLIAMSPORT, PA

APR 10 2002

MARY E. D'ANDREA, CLERK
Per [Signature]
DEPUTY CLERK

For the reasons set forth in the accompanying memorandum,

IT IS ORDERED THAT:

1. Defendant Scott Downey's partial motion to dismiss and to strike impertinent matter from the complaint (record doc. no. 7) is granted pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 12(f).

1.1 Given the court's holding on plaintiff's equal protection claim, all of plaintiff's claims are dismissed as against defendant Downey.

1.2 Downey's motion to strike impertinent matter from plaintiff's complaint is granted in its entirety.

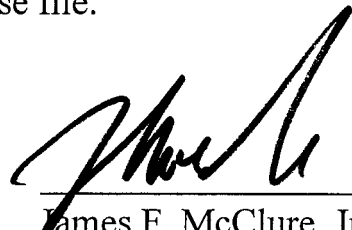
2. Defendant Roger Morrison's motion to dismiss (record doc. no. 10) is granted pursuant to Fed. R. Civ. P. 12(b)(6).

2.1 All of plaintiff's claims are dismissed as against defendant Morrison.

3. Defendants David Graybill's and Michael Sweger's motion to dismiss (record doc. no. 11) is granted pursuant to Fed. R. Civ. P. 12(b)(6).

3.1 All of plaintiff's claims are dismissed as against defendants Graybill and Sweger.

4. The clerk is directed to close the case file.

A handwritten signature in black ink, appearing to read 'James F. McClure, Jr.', is written over a horizontal line.

James F. McClure, Jr.
United States District Judge

CERTIFICATE OF SERVICE

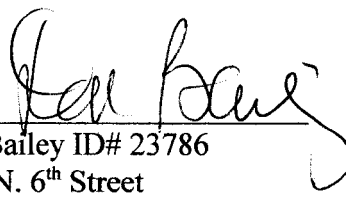
I hereby certify that on this **15th day of APRIL 2002** true and correct copy of the foregoing NOTICE OF APPEAL was served upon the following counsel of record by United

States Mail, postage prepaid:

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